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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA—LOS ANGELES DIVISION

In re:

CRESTLLOYD, LLC,

Debtor and Debtor in Possession.

Case No. 2:21-bk-18205-DS

Chapter 11

**DECLARATION OF YVONNE NIAMI
IN OPPOSITION TO SALE MOTION
[DOCKET NO. 142]**

Hearing:

Date: March 18, 2022

Time: 11:00 a.m.

Place: Courtroom 1639
255 East Temple Street
Los Angeles, California 90012
(via Zoom for Government)

I, Yvonne Niami, a member of Crestlloyd LLC, declare as follows:

Concierge Auctions

1. On Monday January 3, 2022 at 5:41 PM, I texted Chad Roffers, Chairman of Concierge Auctions, for a 3-way call with Joseph Englanoff of Yogi Securities, one of the secured creditors, to discuss the auction reserve price for the sale of 944 Airole Way, Los Angeles, CA 90077. Mr. Englanoff and I were concerned with the idea of not having a minimum reserve in place and therefore wanted to discuss putting one in place before the court hearing to determine whether there would or would not be a reserve at the auction.
2. The day before the court hearing, Mr. Englanoff and I had the 3-way call with Mr. Roffers to discuss these concerns relating to the minimum reserve price.
3. During this call it was made clear by both Mr. Englanoff and myself that we were in favor of a reserve price to be set for the upcoming auction of 944 Airole Way.

- 1 4. While on the call, Mr. Roffers made it very clear that he had no issue implementing and
2 recommending a minimum reserve price for the auction and said he would support it the
3 following day at the hearing.
- 4 5. To my knowledge, the following day, Mr. Roffers was due in court to make his
5 recommendation on the auction with regards to including a reserve or not.
- 6 6. It was brought to my attention that after Mr. Roffers had told Mr. Englanoff and myself,
7 he did not have any issue with including a minimum reserve, he then proceeded to tell
8 the court that he recommended having no reserve price included in the auction. Had I
9 known this would have been the case, I would have objected to having no reserve during
10 the court hearing.
- 11 7. During the auction process, which started on February 28, 2022 and concluded March
12 3, 2022, I received an email from Concierge Auctions, advertising the "CURRENT
13 HIGH BID" at \$50M. (Exhibit 1) In my opinion, this tactic was detrimental to the
14 outcome of the auction. It gave the impression the house could be purchased for far less
15 than its market value, which according to a previous email sent by Mr. Roffers, was
16 believed to be between \$265 - \$310M. To quote his exact words, he wrote "As
17 discussed, we believe the final high bid will fall somewhere between \$265M and
18 \$310M." (Exhibit 2)
- 19 8. Following the release of this email, I became concerned with the auction process and
20 reached out to Mario, who I believe to be Mario Vargas, Senior Vice President of
21 Corporate Development at Concierge Auctions. He was the "Day to Day" person from
22 Concierge stationed at 944 Airole. He told me a method Concierge Auctions uses often
23 during the bidding process is called a "Soft Gavel," in which they extend the length of
24 the auction to generate higher bids. He told me that the auction could be extended for 1
25 to 2 days by using this "Soft Gavel" and with a house like this, most likely would be.
26 This information relating to the "Soft Gavel" method was explained to multiple
27 interested parties, including the realtors and lien holders. To my knowledge, the bidding
28 was extended 3 times by 3 minutes, for a total of 9 additional minutes, leaving almost

1 no additional time to generate higher bids, and not the aforementioned 1 or 2 days as
2 expected.

3 9. On March 2, 2022 I texted Mr. Roffers "Is it normal that bidding starts so low?" to which
4 he responded "Yes." (Exhibit 3)

5 10. On March 3, 2022 I tried to call Mr. Roffers as I was becoming increasingly concerned
6 with the handling of the auction. He did not answer and proceeded to text "Can't talk.
7 We all need to be focusing on the bidders right now." I then texted him "If the bids are
8 not high enough Can we push it out until tomorrow?" This was based off the previous
9 conversation I had with Mario relating to the "Soft Gavel." There was no response from
10 Mr. Roffers. I then proceeded to text him the two following texts "We have to extend
11 the auction. 141 won't work. That barely covers Hankey" & "This is a disaster.
12 Everyone wanted a reserve. Why, at the very least did you not push out the auction? Is
13 there anyway to course correct this?" (Exhibit 4)

14 11. Within 2 hours of closing the bidding, Concierge Auctions sent an email stating "OUR
15 5TH WORLD RECORD: \$141M-Plus Pending Sale of America's Largest Residence,"
16 (Exhibit 5) while posting similar sentiments on Instagram and Instagram stories.
17 (Exhibit 6) I believe this shows the true intention of Concierge Auctions, considering
18 they knew the debt on the house far exceeded that amount.

19 12. Not until after Concierge Auctions had closed the bidding and proceeded to send out a
20 mass marketing email, Instagram post, and Instagram story did Mr. Roffers respond to
21 my previous texts about extending the auction.

22 13. In my opinion, Concierge Auctions saw an opportunity to be a part of one of the most
23 valuable properties in the United States and intentionally misled the lien holders and
24 myself to generate publicity and advance their company's status without the best
25 interests of the other involved parties. Had a minimum reserve price been implemented,
26 we could have avoided a multitude of problems and potentially have generated a much
27 higher final bid.
28

1 14. It has also come to my attention that Concierge Auctions has a similar high-end listing
2 in the same neighborhood, less than half a mile away, at 777 Sarbonne Rd, Los Angeles,
3 CA 90077. This house is listed for \$87,777,777 and has a reserve price of \$50M. This
4 shows that it is common practice for Concierge Auctions to implement a reserve when
5 dealing with homes of this caliber and price point.

6 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
7 correct to the best of my knowledge and belief.

8 Dated this 15th day of March 2022, at Los Angeles, California.

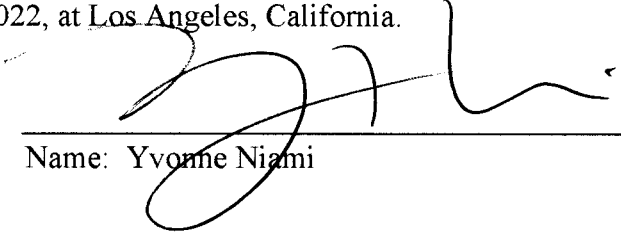
9 
10 _____
11 Name: Yvonne Niami
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Exhibit List

Exhibit #	Description
1	Current High Bid Email
2	Chad Roffers Estimated Sales Price Email
3	Text Messages with Chad Roffers
4	Text Messages with Chad Roffers
5	World Record Email from Concierge Auctions
6	Instagram Post and Story from Concierge Auctions
7	

Exhibit 1

10:42

5G



[BIDDING OPEN] Ame...



CONCIERGE AUCTIONS

LAST CHANCE
TO REGISTER



BIDDING NOW OPEN

THE ONE, BEL AIR, CA
CURRENT HIGH BID: \$50M
BIDDING ENDS MARCH 3

Listed for \$295M | Selling No Reserve to
the Highest Bidder
1% Co-broke Commission



Exhibit 2

10:34

LTE



944 Airole Way / Con...

From: "Chad (concierge Auctions) Roffers"

<[redacted]>

Date: Friday, March 5, 2021 at 4:22 PM

To: Yvonne Niami

<[redacted]>

Cc: Aaron Kirman

<[redacted]>

Subject: 944 Airole Way / Concierge
Auctions Proposal

Exhibit 3

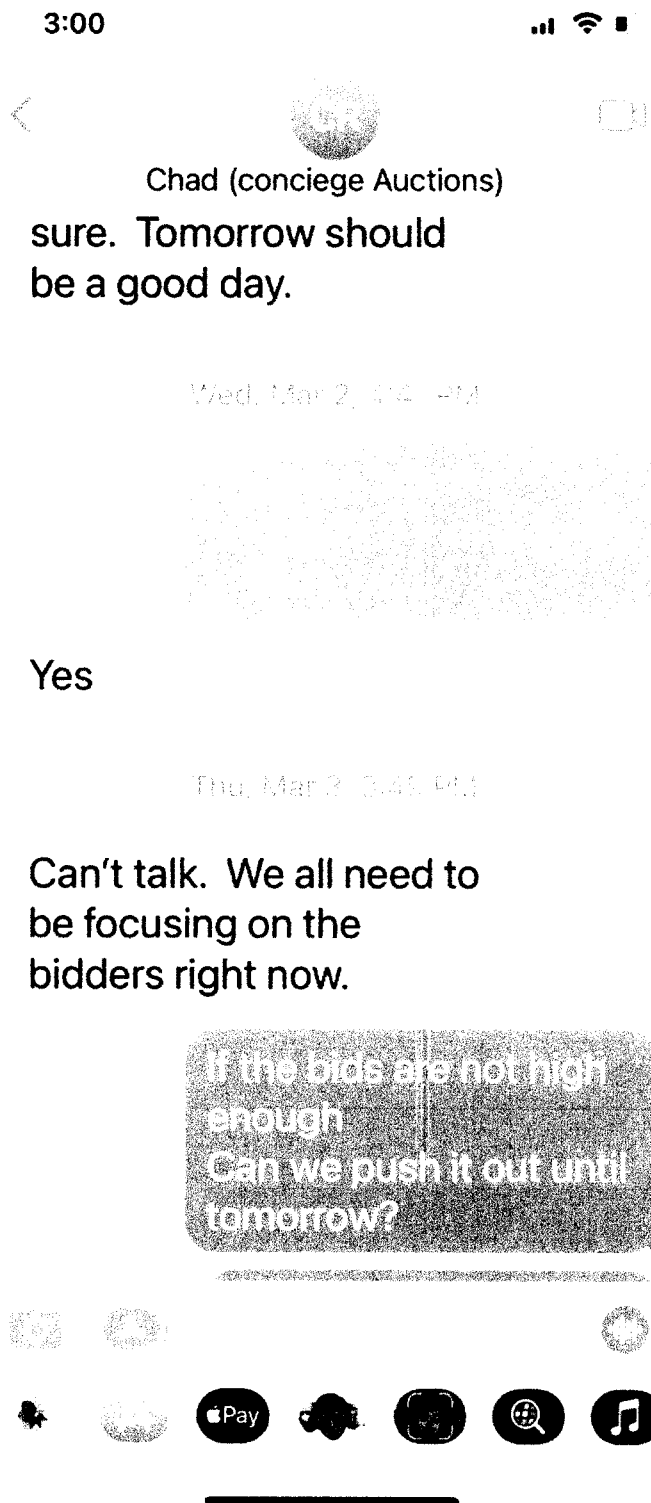


Exhibit 4

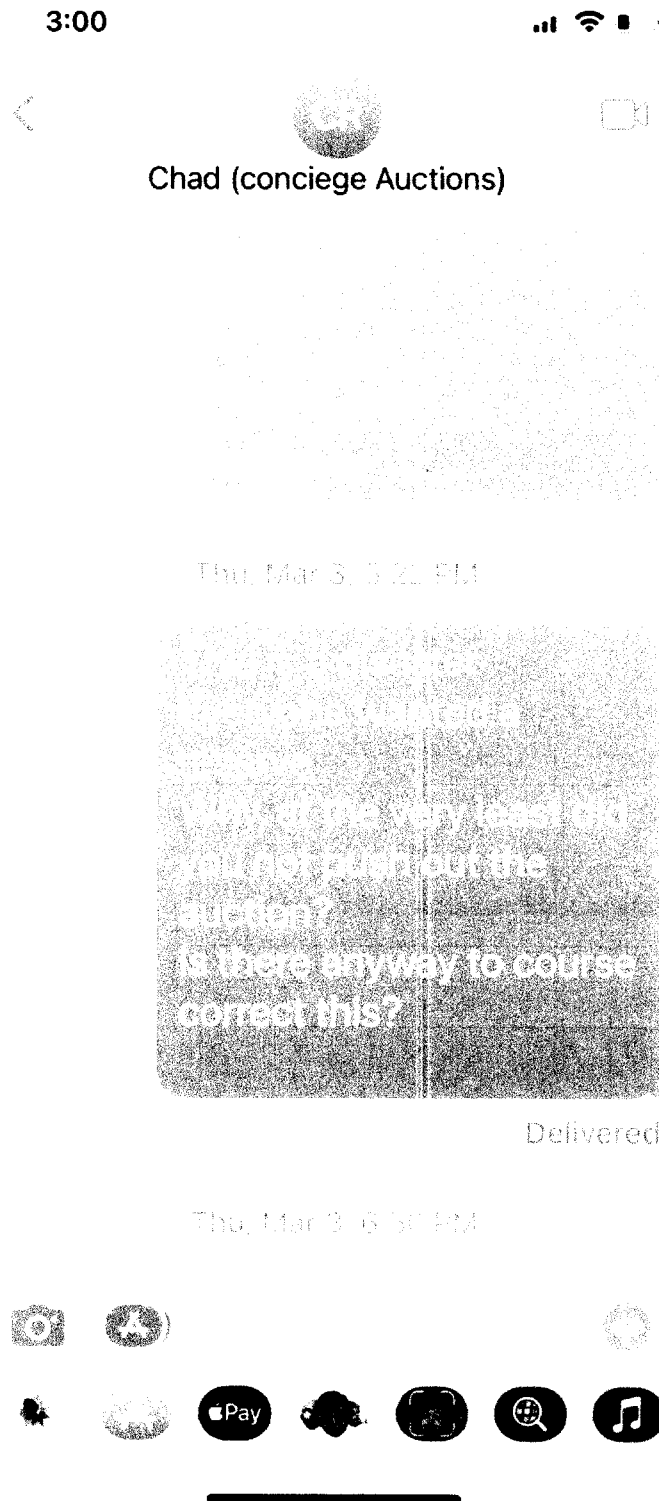


Exhibit 5

**New World Record | The One, Bel
Air, CA 🏆**

[View this email in your browser](#)



#MAKEHISTORY

**OUR 5TH WORLD
RECORD:**

**\$141M-Plus Pending Sale
of America's Largest
Residence**



Exhibit 6

